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*Counsel for Defendant DUBOIS CHEMICALS, Inc.  
a Delaware Corporation.*

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9 **UNITED STATES DISTRICT COURT**  
10 **DISTRICT OF NEVADA**

11 MI-94, LLC, a Nevada limited liability company,  
also known as METALAST INTERNATIONAL  
12 LLC, a Nevada limited liability company,  
Plaintiff,

13 vs.

14 CHEMETALL US, INC., a Delaware  
15 corporation; BASF CORPORATION, a  
Delaware corporation; QUALICHEM INC., a  
16 Virginia corporation; DUBOIS CHEMICALS,  
INC., a Delaware corporation; MILES  
17 CHEMICAL COMPANY, a California  
corporation; JOHN SCHNEIDER AND  
18 ASSOCIATES, INC., a Wisconsin corporation;  
19 BROCO PRODUCTS, INC., an Ohio  
corporation; RONATEC C2C, a California  
20 corporation; ELECTROPLATING  
CONSULTANTS INTERNATIONAL, an  
21 Oklahoma corporation; ALBEMARLE  
CORPORATION, a Nevada corporation;  
22 SOUTHERN INDUSTRIAL CHEMICALS,  
INC, an Alabama corporation; Dean Meiling,  
23 and individual, Madylon Meiling, an individual;  
24 DSM Partners, LLC, a Nevada entity;  
25 CHEMEON SURFACE TECHNOLOGY, a  
Nevada entity; and DOES 1-10, inclusive,  
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Defendants.

Case No. 2:23-cv-00647-CDS-DJA

**STIPULATION AND ORDER TO  
EXTEND TIME FOR DEFENDANT  
DUBOIS CHEMICALS, INC. TO  
ANSWER OR OTHERWISE RESPOND  
TO COMPLAINT**

**(First Request)**

Pursuant to Rule 6(b) of the Federal Rules of Civil Procedure and District of Nevada Local Rule IA 6-1, Plaintiff MI-94, LLC (“Plaintiff” or “MI-94”) and Defendant DuBois Chemical, Inc. (“Defendant” or “DuBois”), through counsel, hereby agree and stipulate, as follows:

1. MI-94 filed their Complaint (the “Complaint”) on April 4, 2023.
2. MI-94 served the Summons and Complaint on DuBois on June 14, 2023.
3. Pursuant to Rule 12(a)(1)(A)(i) of the Federal Rules of Civil Procedure, Defendant had 21 days from the date of service to file and serve an answer or other response to the Complaint (*i.e.*, until July 5, 2023).
4. Defendant and Plaintiff stipulate to a 30-day extension of time from this stipulation to file and serve an answer or otherwise respond to the Complaint, which makes the response due on August 14, 2023.
5. This stipulated extension is requested to allow the parties to review and consider the Settlement Agreement previously entered into by DuBois Chemicals, Inc. with David M. Semas and Metalast, Inc. in the prior U.S. District Court District of Nevada related action titled *David M. Semas, et al. v. Chemetall US, Inc. et al.*, Case No. 3:19-cv-00125-MMD-CBC, on or about March 3, 2020. DuBois resolved all legal issues with Plaintiffs Semas and Metalast, Inc. in the prior action and those parties are apparently affiliated with Plaintiff MI-94, LLC in this current action. DuBois believes that the current MI-94, LLC claims concern the same or similar legal issues that already have been resolved through the prior *Semas* litigation and Settlement Agreement. Additional time is requested, therefore, so that the parties might meet and confer regarding this potentially case dispositive issue.

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6. This is the first stipulation to extend the date for Defendant to answer or otherwise respond to the Complaint.

**IT IS SO AGREED AND STIPULATED:**

HOWARD & HOWARD ATTORNEYS PLLC

EARLY SULLIVAN WRIGHT GIZER &  
McRAE LLP

By: /s/ W. West Allen

By: /s/ Jeremy J.F. Gray

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*Attorneys for Defendant*  
DuBois Chemicals, Inc.

*Attorneys for Plaintiff*  
MI-94, LLC, also known as  
METALAST INTERNATIONAL LLC

**IT IS SO ORDERED:**



UNITED STATES MAGISTRATE JUDGE

DATED: July 18, 2023